

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DIANNA SCOTT, *et al.*,
Plaintiffs,
v.
COUNTY OF KERN, *et al.*,
Defendants.

Case No. 1:24-cv-00423-CDB

ORDER ON STIPULATION
CONSOLIDATING CASES PURSUANT TO
RULE 42(a)

(Doc. 45)

DIANNA SCOTT, *et al.*,
Plaintiffs,
v.
KERN COUNTY HOSPITAL AUTHORITY,
Defendant.

Case No. 1:25-cv-00378-CDB

ORDER ON STIPULATION
CONSOLIDATING CASES PURSUANT TO
RULE 42(a)

ESTATE OF STEPHEN INGLE, *et al.*,
Plaintiffs,
v.
KERN COUNTY HOSPITAL AUTHORITY,
Defendant.

Case No. 1:25-cv-00377-CDB

ORDER ON STIPULATION
CONSOLIDATING CASES PURSUANT TO
RULE 42(a)

1 On May 12, 2025, the parties in *Scott, et al. v. County of Kern, et al.*, Case No. 1:24-cv-00423-
2 CDB, *Scott, et al. v. Kern County Hospital Authority*, Case No. 1:25-cv-00378-CDB (“Action 378”),
3 and *Estate of Stephen Ingle, et al. v. Kern County Hospital Authority*, Case No. 1:25-cv-00377-CDB
4 (“Action 377”), filed a stipulated request to consolidate the cases and consent to magistrate judge
5 jurisdiction. (Doc. 45).

6 The parties represent that the cases arise out of the same incident, namely events involving
7 decedent Stephen Ingle’s death while in the custody of Kern County. Further, the parties stipulate
8 these cases present common questions of fact and law, and consolidation is appropriate pursuant to
9 Federal Rule of Civil Procedure 42(a). *Id.* at 3-4.

10 When multiple actions pending before a court involve common questions of law or fact, the
11 court may order a joint hearing or trial of any or all matters at issue in the actions; consolidate the
12 actions; and/or issue any other orders to avoid unnecessary cost or delay. Fed. R. Civ. P. 42(a). The
13 court has “broad discretion” to determine whether and to what extent consolidation is appropriate. *See*
14 *Garity v. APWU Nat’l Labor Org.*, 828 F.3d 848, 855-56 (9th Cir. 2016) (*citing Inv’rs Research Co. v.*
15 *U.S. Dist. Ct. for the Cent. Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989)). “Typically, consolidation
16 is a favored procedure.” *Blount v. Boston Scientific Corp.*, No. 1:19-cv-00578-AWI-SAB, 2019 WL
17 3943872, *2 (E.D. Cal. Aug. 21, 2019) (*citing In re Oreck Corp. Halo Vacuum & Air Purifiers Mktg.*
18 *& Sales Practices Litig.*, 282 F.R.D. 486, 491 (C.D. Cal. 2012)). In deciding whether to consolidate
19 actions, the court “weighs the saving of time and effort consolidation would produce against any
20 inconvenience, delay, or expense that it would cause.” *Huene v. United States*, 743 F.2d 703, 704 (9th
21 Cir. 1984); *Single Chip Sys. Corp. v. Intermec IP Corp.*, 495 F.Supp.2d 1052, 1057 (S.D. Cal. 2007).

22 Here, having considered the stipulation, the Court finds there are significant and substantial
23 common issues of fact and law that warrant consolidation under Rule 42(a). Moreover, the Court
24 agrees with the parties that the benefits of consolidation would reduce the burden on judicial resources
25 and on all involved parties, eliminate the risk of inconsistent adjudications, avoid duplicative evidence
26 and procedures, and allow for the final determination of the survival action.

27 Additionally, the parties stipulated their consent under 28 U.S.C. § 636(c)(1) to have a United
28 States Magistrate Judge conduct all further proceedings in this case, including trial and entry of final

1 judgment. Thereafter, the parties in Action 377 and Action 378 filed consent forms and both actions
2 were reassigned to the undersigned. (Action 377, Doc. 21; Action 378, Doc. 18).

3 **Conclusion and Order**

4 Accordingly, IT IS HEREBY ORDERED:

- 5 1. *Scott, et al. v. County of Kern, et al.*, Case No: 1:24-cv-00423-CDB, *Scott, et al. v. Kern*
6 *County Hospital Authority*, Case No. 1:25-cv-00378-CDB, and *Estate of Stephen Ingle, et al. v.*
7 *Kern County Hospital Authority*, Case No. 1:25-cv-00377-CDB, are CONSOLIDATED FOR
8 ALL PURPOSES. The case identified as *Scott, et al. v. County of Kern, et al.*, Case No. 1:24-
9 cv-00423-CDB, will be designated the lead case, and all further records and documents filed in
10 the above-entitled actions shall be filed in Case No. 1:24-cv-00423-CDB.
- 11 2. A separate order will enter on the parties' pending stipulated request to reset case management
12 dates (Doc. 48).

13 IT IS SO ORDERED.

14 Dated: **June 4, 2025**

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17 UNITED STATES MAGISTRATE JUDGE
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